REMARKS

Claims 1 and 2 are pending in this application. By this Amendment, the specification is amended. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

I. Request for Acknowledgement that References are Considered of Record

An Information Disclosure Statement with Form PTO-1449 was filed on December 22, 2003. Although Applicant has received from the Examiner a copy of the Form PTO-1449, the two foreign references are not initialed to acknowledge the fact that the Examiner has considered all of the disclosed information.

The Examiner is requested to initial and return to the undersigned a copy of the subject Form PTO-1449. For the convenience of the Examiner, a copy of that form and the PTO date-stamped receipt is attached.

II. The Specification Satisfies All Formal Requirements

The Office Action requests the Applicant's cooperation in reviewing the specification for errors. Accordingly, the specification has been reviewed and correspondingly amended for minor corrections. In order to aid the Examiner, the amended paragraphs correspond to paragraphs **[0088]** and **[0111]** of U.S. Patent Publication 2004/0084232 published May 6, 2004.

III. Claims 1 and 2 Define Patentable Subject Matter

The Office Action rejects claims 1 and 2 under 35 U.S.C. §102(e) over U.S. Patent 6,112,151 to Kruse. The Office Action further rejects claim 1 under 35 U.S.C. §102(b) over U.S. Patent 5,485,161 to Vaughn. These rejections are respectfully traversed.

Kruse and Vaughn do not teach or suggest an engine-drive-regulation supporting apparatus mounted on a vehicle driven by an engine, the apparatus including engine-drive-regulated region detecting means including at least one of means for judging whether or not

the position of the vehicle is in a prescribed engine-drive-regulated region on the basis of information received from a vehicle position detecting device provided on the vehicle or from an external with respect to the vehicle, and means for receiving an engine-drive-regulation signal from an external with respect to the vehicle, and engine-drive regulating means for giving a notice to a vehicle driver, suspending the engine, or decelerating the engine when it is judged that the position of the vehicle is in the prescribed engine-drive-regulated region or in response to reception of the engine-drive-regulation signal, as recited in claim 1.

Instead, Kruse discloses an engine emission control apparatus 10. In particular, Kruse teaches network management center 12 to relay timing instructions to an emission control device 52 on board a vehicle 16 (col. 3, lines 49-59, col. 4, lines 46-56 and Figs. 1, 3 and 4 of Kruse). Further, Kruse teaches a timing map 83 for fuel injection timing control with a triple injection process to limit temperature and pressure in the combustion chamber (col. 5, lines 21-32 and Fig. 5 of Kruse).

Applicant submits that controlling the fuel injection timing is distinguishable from suspending or decelerating the engine. For example, when the fuel injection rate is substantially increased, or the rate of air-fuel mixture fed to the engine combustion chamber increases, the engine is accelerated even when the fuel injection timing is controlled to suppress the combustion chamber pressure and temperature. Suspending the engine can be implemented by cutting the fuel flow to the engine, while decelerating the engine can be accomplished by decreasing the rate of fuel flow, both of which differ from controlling the fuel injection timing.

Further, Vaughn discloses a GPS navigation system 10 for controlling vehicle speed. In particular, Vaughn teaches a microprocessor 18 that compares the vehicle speed from the speed sensor 24 with the maximum posted speed, and correspondingly decreases the vehicle speed if the former exceeds the latter (col. 9, lines 1-9 and Fig. 3 of Vaughn).

Applicant asserts that decreasing the vehicle speed, as taught in Vaughn, is not synonymous with suspending or decelerating the engine. The speed of a vehicle is typically implemented by activating braking devices of the vehicle, in contrast to decelerating the engine. For example, suspending the engine can be implemented by cutting the fuel flow and is distinguished from applying vehicle brakes. Similarly, decelerating the engine can be accomplished by decreasing the rate of fuel flow, which is also distinguished from vehicle braking.

A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (MPEP §2131). Applicant asserts that the Office Action fails to satisfy this requirement with either Kruse or Vaughn.

For at least these reasons, Applicant respectfully asserts that the independent claim is patentable over the applied references. The dependent claim is likewise patentable over the applied reference for at least the reasons discussed, as well as for the additional features it recites. Consequently, both claims are in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §§102 be withdrawn.

IV. Conclusion

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Attachments:
Copy of earlier filed PTO-1449
Copy of stamped receipt for Information Disclosure Statement

Date: November 16, 2004

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2/34

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Form PTO-1449 (REV. 8-83) | US Dept. of Commerce PATENT & TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY DOCKET NO.	APPLICATION NO.
111376.01	10/602,726
APPLICANT(S) Kazuyoshi OBAYASHI	
FILING DATE June 25, 2003	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
		3,868,559	02/1975	Hill et al.		
		4,661,760	04/1987	Goto et al.		

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS
		WO 92/14631	09/1992	PCT		
		EP 0 884 819 A2	12/1998	EPO		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER	DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date: December 22, 2003